

REMARKS

Review and reconsideration on the merits are requested.

The Prior Art

U.S. Pat. Pub. 2005/0065489 Driskell et al (Driskell); U.S. 5,934,470 Bauer et al (Bauer).

The Rejection

At the time of rejection, claims 13-22 were pending. They were rejected under 35 U.S.C. § 103(a) as being unpatentable over Driskell in view of Bauer.

Claims 15-20 have been canceled, technically mooted the rejection of these claims.

The Examiner's position is set forth in the Action and will not be repeated here except as necessary to an understanding of Applicant's traversal which is now presented.

Traversal

In the Action, Paragraph 7, the Examiner states:

"The design prints have a width that is less than the width of the main body, but greater than 1/3 the width of the main body, as shown in figure 4B and described in paragraphs [0118-0119]."

The Examiner is speaking of Driskell.

However, as argued in the AMENDMENT...1.111 of October 29, 2008, in Driskell's design patterns comprise a plurality of aspects of the same character. A Driskell diaper is formed by using a sheet on which a plurality of character's aspects is printed, apart of which is cut off so that at least one character's aspect remains. Specifically, diapers obtained following the teaching of Driskell have different designs if diapers produced continuously are next to each other, but their design variations are extremely limited. Further, since the diapers obtained next

to each other have different designs but their design variations are slight, the impression of the designs of the total or whole of the diapers packed in the package becomes almost the same.

In distinction, according to claims 13 or 14, and again as argued in the referenced AMENDMENT...1.111, and as shown in Figs. 3 to 8 especially, the boundary lines of design patterns (lines dividing each design) being next to each other are very clear and the relationship between the widths and the cutting intervals of the design patterns are specified. As a result, it is possible that all diapers packed in a package may have different designs. The design pattern of a back sheet is a single color and a color is arranged so that adjacent design patterns become approximate colors close to related colors, whereby it is possible to output definite color variations and beauty. Further, so that the boundary lines of adjacent design patterns are of a diagonal line shape or are present in a curved manner, the impression received from a diaper's design becomes different in each diaper, quite different from Driskell.

The Examiner further states in Paragraph 7 of the present Action that:

“The design print includes curve patterns and a gathering of graphics of the same configuration, as shown in figure 5A [the Examiner is speaking of Driskell]”.

However, again as discussed in the previous AMENDMENT...1.111, the “curved manner” in claim 13 or claim 14 of the present application after amendment does not mean that the lines used for the designs are curved lines, rather, it means that the boundary lines of design patterns are curved lines as shown in figure 7 of the present application.

Applicants respectfully submit that such a constitution is in no fashion disclosed in Driskell. Specifically, Applicants submit that the curved line shown in figure 5A of Driskell does not define the space or boundary line of a design pattern.

Further, in this regard, Applicants note regarding “a gather of graphics of the same configurations” that claims 19 and 20 of the present application have been canceled.

In the present Action, Paragraph 8, the Examiner states, regarding Bauer:

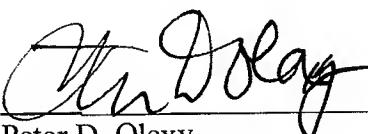
“Bauer teaches the packaging of a plurality of disposable diapers in a single package, as shown in Figure 1.”

However, Applicants respectfully submit that even if Driskell is combined with Bauer, the configuration of the present invention as set forth in claim 13 or claim 14 is not rendered obvious and Applicant’s request withdrawal of the rejection of remaining claims 13, 14, 21 and 22.

In closing, the Examiner is requested to note that claim 13 now includes the limits of claims 15 and 17, claim 15 directly depending from claim 13 and claim 17 directly depending from claim 15, and claim 14 includes the limits of claims 16 and 18, claim 16 directly depending from claim 14 and claim 18 directly depending from claim 16.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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